

Message Text

LIMITED OFFICIAL USE

PAGE 01 SEOUL 01177 210834Z

13

ACTION EB-11

INFO OCT-01 EA-11 ISO-00 LOC-01 L-03 CU-04 PA-04 PRS-01

USIA-15 CIAE-00 INR-10 NSAE-00 RSC-01 SAM-01 DRC-01

COME-00 /064 W

----- 115943

R 200709Z FEB 74

FM AMEMBASSY SEOUL

TO SECSTATE WASHDC 2558

LIMITED OFFICIAL USE SEOUL 1177

E.O. 11652: N/A

TAGS: EIND KS

SUBJECT: COPYRIGHT AND BOOK PIRACY: VISIT OF LEO ALBERT

REFS: A STATE 165035; B SEOUL 7455 C SEOUL 958

1. BEGIN SUMMARY: REPRESENTATIVES OF ASSN. OF AMERICAN PUBLISHERS AND EMBOFF REACHED UNDERSTANDING WITH KOREAN PUBLISHERS ASSN. AND ROK MINISTRY OF CULTURE AND INFORMATION (MCUI) SECTION CHIEF FOR LOCAL REPRINTING OF US TEXTBOOKS, WITH ROKG PROTECTION FOR AUTHORIZED REPRINTERS. PLAN WILL BE SUBMITTED WITHIN FEW DAYS TO MCUI MINISTER FOR APPROVAL. END SUMMARY.

2. ASST. COMATT ACCOMPANIED LEO ALBERT, CHAIRMAN OF INTERNATIONAL TRADE COMMITTEE, ASSN. KPA PROMISED TO MAINTAIN LIAISON WITH AAP ON MATTERS OF COPYRIGHT AND BOOK PIRACY AND EXPRESSED SUPPORT OF STRATEGY SET FORTH IN REFTELS (A) AND (B).

3. SUBSEQUENTLY ALBERT AND EMBOFF CALLED ON MCUI CULTURE BUREAU DIRECTOR KIM, YUNGKWON TO DISCUSS SAME PROBLEM, AND TO SSEK CLARIFICATION OF ISSUES RAISED IN REFTEL(C). KIM ENDORSED PRENTICE-HALL PLAN (REF. A) TO AUTHORIZE REPRINT OF WORKS IN
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 SEOUL 01177 210834Z

KOREA UPON PAYMENT OF NOMINAL ROYALTY, AND INDICATED

THAT ROKG WOULD BE LIKELY TO SUPPORT INTEGRITY
OF SUCH ARRANGEMENTS AND GRANT COPYRIGHTS ON SAME BASIS
AS FOR DOMESTIC WORKS. HE PROMISED TO SUBMIT PROPOSAL
TO MINISTER THIS WEEK AND TO ADVISE EMBASSY OF REACTION.

4. AS PER REF (C), ASST. COMATT SOUGHT CLARIFICATION
OF STATUS OF FOREIGN WORKS IN KOREA.
KIM STATED THAT SINCE KOREAN COPYRIGHT LAW
DERIVED FROM JAPANESE AND WAS AMBIGUOUS IN MANY RESPECTS,
LAW COULD NOT BE INTERPRETED WITHOUT REFERENCE TO
MCUI ADMINISTRATIVE POLICY. HE STATED, FOR EXAMPLE,
THAT ART. 46("FOREIGN COPYRIGHT") IS APPLIED ONLY TO FOREIGN
WORKS OF UNKNOWN ORIGIN PUBLISHED FOR FIRST TIME IN KOREA,
AND THAT WORKS BY FOREIGN AUTHORS PUBLISHED BY KOREAN FIRM UNDER
LICENSE WOULD QUALIFY FOR COPYRIGHT
UNDER ART 44 AND APPLICABLE PRESIDENTIAL DECREE IN SAME
MANNER AS KOREAN-AUTHORED WORK.

5. SINCE UNDER KOREAN LAW AS INTERPRETED BY KIM
COPYRIGHTING US BOOK WOULD NOT AFFECT EXISTING COPIES
OF EARLIER-PIRATED WORK, ALBERT INDICATED THAT (AS ON
TAIWAN) AUTHORIZED REPRINTERS COULD DISTINCTIVELY STAMP ALL COPIES
IN HANDS OF PIRATES AT TIME OF AUTHORIZED REPRINTING,
THUS PREVENTING FURTHER PIRACY. KIM URGED THAT
LICENSES GIVEN TO KOREAN REPRINTERS BE SPECIFIC AS TO
TERMS AND DURATION, SINCE COPY OF LICENSE MUST ACCOMPANY
APPLICATION FOR REGISTRATION, COPYRIGHT AND EXPORT PERMIT.

6. ACCORDING TO KIM, A FEE OF WON 4500 (ABOUT \$11.25)
TOGETHER WITH DEPOSIT OF 2 COPIES IS REQUIRED UPON REGISTRATION
OF ANY WORK UNDER PUBLICATIONS
LAW. TRADITIONALLY ADDITIONAL 4 COPIES ARE DONATED TO
KPA (WHICH HANDLES REGISTRATION FORMALITIES FOR MEMBERS).
KPA THEN SELLS COPIES AT DISCOUNT TO LIBRARIES; THIS IS
MAIN SOURCE OF INCOME. COPYRIGHTING A WORK
INVOLVES PAYMENT OF FURTHER FEE OF WON 300; COPYRIGHT IS
EFFECTIVE AS OF THE DATE OF ORIGINAL REGISTRATION. THIS
IS EXPLANATION WHY MOST KOREAN PUBLISHERS DO NOT BOTHER
TO COPYRIGHT THEIR WORKS.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 SEOUL 01177 210834Z

7. TRANSLATIONS OF PRESIDENTIAL DECREES GOVERNING
REGISTRATION AND COPYRIGHT, PLUS TRANSLATIONS OF
APPLICATION FORMS WILL FOLLOW BY SEPARATE
AIRGRAM AS SOON AS COMPLETED.
DECON FOLLOWING FEB. 19, 1975.
HABIB

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: COPYRIGHT INFRINGEMENTS, EXPORT CONTROLS, COPYRIGHT LAW, BOOKS
Control Number: n/a
Copy: SINGLE
Draft Date: 20 FEB 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974SEOUL01177
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: SEOUL
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740221/aaaaatkf.tel
Line Count: 113
Locator: TEXT ON-LINE
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: A STATE 165035; B SEOUL 7455 C SEOUL
Review Action: RELEASED, APPROVED
Review Authority: morefirh
Review Comment: n/a
Review Content Flags:
Review Date: 01 AUG 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <01 AUG 2002 by elyme>; APPROVED <01 AUG 2002 by morefirh>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: COPYRIGHT AND BOOK PIRACY: VISIT OF LEO ALBERT
TAGS: EIND, KS, (ALBERT LEO)
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005